761551N52A – SH-AD (11/90)

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

"A Tradition of Service"

OFFICE CORRESPONDENCE

DATE: October 23, 2015

FROM: DAVID E. HALM, COMMANDER
EAST PATROL DIVISION

TO: DONNIE L. MAULDIN, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS

Case Number:	SH2349805 / FO2385488
Incident:	Hit Shooting & Use of Force
Incident Date:	February 4, 2014
Unit:	Pico Rivera Station
Suspect:	Rojo, Jesus MH/56
Involved Employees:	Deputy [redacted] Deputy [redacted] Deputy Jose Hernandez #[redacted] Deputy Ryan Malone #[redacted]
EFRC Date:	October 22, 2015

The Executive Force Review Committee (EFRC) consisting of Commanders David E. Halm, Kelley S. Fraser, and Eddie Rivero met and reviewed the above case.

FINDINGS:

The EFRC determined the use of deadly force and tactics were within Department policy.

RECOMMENDATIONS:

The EFRC made no recommendations.

DEH:JRB:jrb

Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 10/06/2015	Bureau/Station/Facility: Pico Rivera Station	Admin. Invest.? ☐ Hit? ☑

Incident Information

URN: 014-00884-1510-056	Date: 02/04/2014 Time: 0508 hours
City or Station: Pico Rivera	Nature of Incident: Suspect assaulted deputies with a machete and resulted in an officer involved shooting.
Location: [redacted] Ivy Street, Pico Rivera	

Location Type (check one or more):
- ☐ Backyard
- ☐ Beach
- ☐ Business
- ☐ Freeway
- ☐ Industrial
- ☐ Park
- ☐ Parking Lot
- ☑ Residence
- ☐ Rural
- ☐ School
- ☐ Street
- Other:

Lighting (check only one):
- ☑ Darkness
- ☐ Daylight
- ☐ Other
- ☐ Street Lights

Weather (circle only one):
- ☑ Clear
- ☐ Cloudy
- ☐ Fog
- ☐ Rain

Distance: 2 - 4 Feet

Incident Type (check one or more):
- ☐ Accidental
- ☑ Armed Person
- ☐ Fleeing Suspect
- ☐ Foot Pursuit
- ☐ Gun Take Away
- ☐ Moving Vehicle
- ☐ Sniper/Ambush
- ☐ Startle
- ☐ Struggle Involved
- ☐ Traffic Stop
- ☐ Unarmed Person
- ☐ Unintentional
- ☐ Vehicle Pursuit
- ☐ Warrant Service
- ☐ Warning Shot
- Other:

Initiated by (check only one):
- ☐ Arrest Warrant
- ☑ Call
- ☐ Observation
- ☐ One Person Unit
- ☐ Other
- ☐ Search Warrant
- ☐ Two Person Unit

Prior Activity (check only one):
- ☐ Detective
- ☐ Inmate Transport
- ☐ Other
- ☑ Routine Patrol

Total # of Shots Fired by Deputy: 9

Total # of Shots Fired by Suspect: 0

Aero Unit? ☐ Canine Unit? ☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (check only one)	ShiftType (check only one)
[redacted]	[redacted]	[redacted]		☑ EM ☐ PM ☐ Day	☑ Regular ☐ Overtime ☐ Off Duty
[redacted]	Partida	Pablo		☐ EM ☐ PM ☑ Day	☑ Regular ☐ Overtime ☐ Off Duty
				☐ EM ☐ PM ☐ Day	☐ Regular ☐ Overtime ☐ Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(check one or more):
[redacted]	Partida	Pablo		☑ On Duty ☑ Present during shooting ☑ Witness to shooting ☐ Involved in shooting
				☐ On Duty ☐ Present during shooting ☐ Witness to shooting ☐ Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Bille	Ernest	O.

Watch Commander

Employee #	Last Name	First Name	M.I.
	same as Watch Sergeant		

PSTD Use Only

SH # ______________

Officer Involved Shooting

URN: 014-00884-1510-056

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
02/04/2014	0840 hours	10/04/2015	

Employee #	Last Name	First Name	M.I.
[redacted]	Weber	Todd	P.
[redacted]	Vigil	Louis	M.
[redacted]	Ladjevic	David	

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE					NN	
S#1	E#2	OE					NN	
E#1	S#1	FH	SW	9	Y	Y	GS	AR
								LE
								AD
E#2	S#1	FH	SW	9	Y	Y	GS	AR
								LE
								AD

Officer Involved Shooting
Involved Employee Information

URN: 014-00884-1510-056

Involved Employee

E 1

Employee #: [redacted]	Last Name: Hernandez	First Name: Jose	M.I.: L.
Sex: M Race: H	Rank: B-1 Deputy	Unit Assignment: Pico Rivera	Work Assignment (Unit #, Module, etc.): 152F
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'07	Weight: 200		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: PRV	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson	Caliber: 9	# Shots: 9	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E 2

Employee #: [redacted]	Last Name: Malone	First Name: Ryan	M.I.: P.
Sex: M Race: W	Rank: Deputy	Unit Assignment: Pico Rivera Station	Work Assignment (Unit #, Module, etc.): 152E
ShiftTime (*circle only one*): ☑ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☑
Hrs of sleep prior to shooting: apprx. 8 hrs.	Duty Time (hrs): [redacted]	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☑ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 6'00	Weight: 165		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: PRV	Prior Shootings? [redacted] Number of Prior Shootings: [redacted] Directed Force: [redacted]
Weapons Fired Brand: Smith & Wesson	Caliber: 9	# Shots: 1	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]
Field Training Officer Emp #: [redacted]	Last Name: [redacted]	First Name: [redacted]	M.I.: [redacted]

E

Employee #:	Last Name:	First Name:	M.I.:
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Plain Clothes w/ Vest ☐ Raid Jacket no Vest ☐ Raid Jacket w/ Vest ☐ Uniform no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:
Field Training Officer Emp #:	Last Name:	First Name:	M.I.:

Officer Involved Shooting
Suspect Information

URN: 014-00884-1510-056

Suspect Information

S 1

Last Name: Rojo		First Name: Jesus	M.I. R.
AKA Last Name:		First Name:	M.I.
Sex: M Race: H	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phon[redacted]	Ho[redacted]	Social Security #:	Driver's Lice[redacted]
Age: 56 D.O.B. 07/10/1957	Height: 5'8 Weight: 182	FBI # [redacted]	CII # [redacted]
Booking # 3854576	Primary Charge: 664/187 PC	Secondary Charge: 245(A)(1) PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☑	Apprehended? ☑	Mental Illness? ☑	Criminal History? ☑
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 014-00884-1510-056 | Date: 02/04/2015 | Time: 0508 hrs.

Location: [redacted] Ivy Street | City or Station: Pico Rivera

Bureau/Station/Facility: Pico Rivera Station | Admin. Investigation: ○ YES ◉ NO

Type of Force: Significant Force

Incident Category: ○ 1 ○ 2 ◉ 3 | Deputy Injury: ○ YES ◉ NO | Suspect Injury ◉ YES ◉ NO

☒ Call ☐ Observation ☐ Detail ☐ Foot Pursuit ☐ Vehicle Pursuit

IAB Notified: ◉ YES ○ NO | Person Notified: Lt. Todd Weber | Emp: [redacted] | IAB Roll Out ◉ YES ○ NO

Involved Employee

E1

Employee #: [redacted] | Last Name: [redacted] | First Name: [redacted] | Middle I.: [redacted] | Rank: [redacted]

Sex: [redacted] M [redacted] F | Race: [redacted] | Height: [redacted] | Weight: [redacted] | Age: [redacted] | Shift: [redacted] EM [redacted] Day [redacted] PM | [redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty

Unit of Assignment: [redacted] | Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: [redacted] | [redacted] Directed [redacted] Rescue [redacted] Medical Assist | Individual Category [redacted] 1 [redacted] 2 [redacted] 3

☐ Injured ☐ Treated ☐ Admitted Facility: | Coroner Case #

E2

Employee #: [redacted] | Last Name: [redacted] | First Name: [redacted] | Middle I.: | Rank: Deputy

Sex: ◉ M ○ F | Race: H | Height: [redacted] | Weight: [redacted] | Age: [redacted] | Shift: [redacted] EM [redacted] Day [redacted] PM | [redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty

Unit of Assignment: Pico Rivera Station | Work Assignment (Unit #, Module, etc.): [redacted]

Individual Force Used: [redacted] | [redacted] Directed [redacted] Rescue [redacted] Medical Assist | Individual Category [redacted] 1 [redacted] 2 [redacted] 3

☒ Injured ☒ Treated ☐ Admitted Facility: PIH Work Care (Whittier) | Coroner Case #

E3

Employee #: [redacted] | Last Name: Hernandez | First Name: Jose | Middle I.: L. | Rank: B-1

Sex: ◉ M ○ F | Race: H | Height: 5'7 | Weight: 200 | Age: [redacted] | Shift: ◉ EM ○ Day ○ PM | ◉ Regular Shift ○ OT Shift ○ Off Duty

Unit of Assignment: Pico Rivera Station | Work Assignment (Unit #, Module, etc.): 152F

Individual Force Used: Take Down | ◉ Directed ○ Rescue ○ Medical Assist | Individual Category ○ 1 ○ 2 ◉ 3

☒ Injured ☒ Treated ☐ Admitted Facility: PIH Work Care (Whittier) | Coroner Case #

On Duty Supervisor

☐ Additional Involved Employees

Emp #: [redacted] | Last Name: Partida | First Name: Pablo | Middle I.: | Rank: Sgt. | Present: YES ◉ NO ○ | Witness to Incident: YES ◉ NO ○

Supervisor Completing Investigation

Emp #: [redacted] | Last Name: Vigil | First Name: Louis | Middle I.: M. | Rank: Sgt. | Present: YES ○ NO ◉ | Witness to Incident: YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #: [redacted] | Last Name: Bille | First Name: Ernest | Middle I.: O. | Rank: Sgt.

Watch Commander / Supervising Lieutenant's **Signature:** | Date | Copy Provided to Employee by: | Emp #:

Allen M. Castellano, Captain | [redacted]

Unit Commander **(Print Name)** | Unit Commander's **Signature**: | Emp #: | Date

DISCOVERY Use Only
FO#

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

SH-R-438P (Rev. 01/13)



Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 4 - 0 0 8 8 4 - 1 5 1 0 - 0 5 6

Suspect Information

S 1

Last Name: Rojo | First Name: Jesus | Middle Name: Ruben | Armed? Select: Other Weapon: Edged

AKA Last Name: | First Name: | Middle Name:

Sex: (◉) Male ( ) Female | Race: H | Age: 56 | Height: 5'08 | Weight: 182 | D.O.B: 07/10/57 | Phone #1: (◉) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3854576 | Primary Charge Code: 664/187 PC | Secondary Charge Code: 245 (A)(1) PC | [redacted] Criminal History

Treated on Scene? (◉) YES ( ) NO | Name: L.A. County Fire Dept. | Unit: Squad #40 | Phone #: 323-881-2411

Hospital Admission? ☐ | Rec'd Treatment At: L.A. CO. Medical Ctr. | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: Dr. Matthew Hankerson | Address: 2051 Marengo Street, Los Angeles | Phone #: 323 409-1000

Under Influence: (◉) YES ( ) NO | Substance: CNS Stimulant | 5150 a factor in force? ( ) YES (◉) NO User's guide provides direction on this entry

Suspect Interview

Date: 02/12/2014 | Time: 1206 | ☒ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S__

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | ☐ Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? ☐ | Rec'd Treatment At: | Coroner Case #: | Mental History ☐ User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | ☐ Audiotape: | ☐ Videotape: | ☐ Photos of Injuries: | ☐ ADMITS HEARING ANNOUNCEMENTS

☐ **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

014 - 00884 - 1510 - 056

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Gonzalez	Lisa	A.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Pico Rivera Station	151B	(●) EM ( ) Day ( ) PM	(●) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Malone	Ryan	P.

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Pico Rivera Station	152E	(●) EM ( ) Day ( ) PM	(●) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Partida	Pablo	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Pico Rivera	150S	( ) EM (●) Day ( ) PM	(●) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	34	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.
[redacted]	[redacted]	[redacted]	76	[redacted]

Street Address	City	Zip Code	Phone #1	Phone #2
[redacted]	[redacted]	[redacted]	[redacted]	

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ **Additional Witness**

Supervisor's Report on Use of Force

EMPLOYEE / NON-EMPLOYEE INFORMATION - Continuation

014 - 00884 - 1510 - 056

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	Madrid	George	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Pico Rivera Station	151D	(●) EM ( ) Day ( ) PM	(●) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		( ) EM ( ) Day ( ) PM	( ) Regular ( ) OT ( ) Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		( ) EM ( ) Day ( ) PM	( ) Regular ( ) OT ( ) Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Rojo	S1	[redacted]	E1	OE,HR	NN	
[redacted]	E1	Rojo	S1	ST		
Rojo	S1	[redacted]	E2	OE,HR	NN	
[redacted]	E2	Rojo	S1	TR	NN	
Rojo	S1	[redacted]	E2	OE,HR	NN	
[redacted]	E2	Rojo	S1	TR	PW	HD
Rojo	S1	Hernandez	E3	HR,UC	NN	
Hernandez	E3	Rojo	S1	PH	NN	
Rojo	S1	Hernandez	E3	OE,HR	NN	
Hernandez	E3	Rojo	S1	PO	NN	

INVESTIGATIVE SUMMARY

DEPUTY INVOLVED SHOOTING: HIT

CASE NUMBER: SH2349805/FO2385488

FILE # 014-00884-1510-056

DATE: February 4, 2014

TIME: 0508 hours

LOCATION: [redacted] Ivy Street, Pico Rivera

SYNOPSIS

On February 4, 2014, at 0450 hours, Pico Rivera Station received a call regarding a person under the influence of drugs and yelling. The address provided by the caller was [redacted]. The caller identified the person as "[redacted]", a neighbor who lives in the [redacted]. This call was Tag 3, and was assigned to Pico Rivera unit 151B, Deputy Lisa Gonzalez, and assisted by unit 151D, Deputies George Madrid and [redacted]

IAB Note: At 0458 hours, a second call was received at Pico Rivera station, the caller described a female in the alley screaming for help. The address given was [redacted]. This call was Tag 5, and was assigned to unit 151D, Deputies George Madrid and [redacted] and assisted by unit 152E, Deputy Ryan Malone. As deputies responded, they determined the calls may be connected. **Refer to Miscellaneous Documents**, Incident History Reports for PRV14035-0003 and PRV14035-0005. **Refer to Exhibit "C,"** calls made to Pico Rivera Station regarding these incidents.

Deputies Gonzalez, Madrid and [redacted] arrived and contacted Mrs. [redacted]. Suspect Ruben Rojo's [redacted] near the garage of the residence ([redacted] Ivy Street). Mrs. [redacted] had a swollen and bruised left eye, and swelling and redness to the top of her head. Mrs. [redacted] said her [redacted] was under the influence of unknown drugs, and had punched her in the eye and head. She said she was in fear for her and her [redacted] who was bedridden and still inside the house.

IAB Note: Mr. [redacted]. Suspect Ruben Rojo's [redacted] was 78 years old and suffered from Dementia.

As the deputies were talking to Mrs. [redacted] Suspect Rojo emerged from the front door of the residence, holding a machete. Suspect Rojo yelled, in both English and Spanish, that he was going to kill the deputies and his [redacted]. Suspect Rojo went in and out the front door of the residence, holding the machete in a threatening manner. Sergeant Pablo Partida, the field sergeant, arrived shortly after.

During this time, the deputies were standing in the alley, as Suspect Rojo stood on the porch of the residence. A small chain link fence separated Suspect Rojo and the deputies.

Pico Rivera Unit 152F, Deputies [redacted] and Jose Hernandez, and 152E, Deputy Ryan Malone arrived at the location.

As Suspect Rojo advanced towards the deputies, holding the machete and threatening the deputies, Sergeant Partida directed Deputy [redacted] to deploy a less lethal, stun bag shotgun. Deputy [redacted] deployed three stun bag rounds at Suspect Rojo. The rounds all appeared to have struck Suspect Rojo. Suspect Rojo was unaffected by the rounds and did not drop the machete. Suspect Rojo retreated back into the residence, yelling that he was going to kill the deputies and his [redacted].

The residence was contained and Suspect Rojo remained inside, with his bedridden [redacted]

Sergeant Partida requested additional personnel from neighboring stations and K9 to respond to the location. At this point, he and the deputies at the scene believed Suspect Rojo was going to kill Mr. [redacted].

A tactical plan was developed to enter through the rear, wooden door of the residence and rescue Mr. [redacted].

IAB Note: The front door was secured by wrought iron door.

Suspect Rojo was seen at the rear door, holding the machete and a kitchen knife, saying that he was going to kill deputies and his [redacted]. Once the door closed, Deputy Hernandez rammed it open, but it was immediately closed from the inside. Deputy Hernandez again rammed the door open, and as soon as the ram struck the door, Suspect Rojo plunged the machete through the door screen. Deputy Hernandez fell backwards, and narrowly missed being struck by the machete.

At one point, as Deputy Hernandez attempted to ram the rear door, Deputy [redacted] was directed by Sergeant Partida to deploy the TASER. Deputy [redacted] deployed the TASER at Suspect Rojo as he appeared and closed the door. The darts missed Suspect Rojo.

Deputy Hernandez used a pick to shatter the north facing bedroom window, in order to

lure Suspect Rojo away from the rear door. Suspect Rojo stabbed out the same window, almost striking Deputy Hernandez. Deputy Malone was able to see Suspect Rojo holding the machete, as he (Suspect Rojo) stood in the hallway of the residence. Deputy Hernandez, picked up the ram, and hit the door again, causing it to break off its hinges.

Deputies [redacted] Hernandez and Malone entered the residence, and saw Suspect Rojo standing in the hallway between the kitchen and the rest of the residence. They saw that Suspect Rojo was holding the machete and an eight to ten inch knife, as he disappeared into the darkness. The deputies, using the kitchen table, built a barricade, to separate them from Suspect Rojo.

Suspect Rojo was seen in the doorway again, armed with the machete and knife, and advanced towards the deputies.

> **IAB Note:** The kitchen area was illuminated but the rest of the residence was dark.

Deputy [redacted] deployed his TASER at Suspect Rojo. The TASER struck Suspect Rojo on his left hand. Suspect Rojo retreated into the hallway, and disappeared into the darkness. Deputies [redacted] Malone and Hernandez followed Suspect Rojo towards the doorway between the kitchen and the hallway. Deputy Hernandez, while still in the kitchen, illuminated the hallway with his weapon-mounted flashlight. The deputies saw Suspect Rojo holding the machete in his right hand, and the knife in his left hand. Suspect Rojo slashed the machete in an arc, towards all three deputies. The machete blade came within six inches of Deputy Hernandez' face. Deputy Hernandez believed Suspect Rojo was going to decapitate him. The blade came less than a foot from Deputy Malone's chest / neck area, and ultimately struck Deputy [redacted] on the arm. The machete caused a contusion to Deputy [redacted]s right wrist. Deputy Hernandez fired nine rounds, and Deputy Malone fired one round at Suspect Rojo.

Suspect Rojo was struck in the right arm, right thigh, and abdomen, and staggered into the living room. The deputies followed Suspect Rojo into the living room and found him lying on the floor, leaning on a piece of furniture. Suspect Rojo suddenly lunged for the machete, which was on the ground, within arm's reach. Deputy Hernandez stepped on the machete and kicked it away from Suspect Rojo's reach. Suspect Rojo was then handcuffed with no further incident.

Suspect Rojo was transported to, and treated at, Los Angeles County Medical Center for gunshot wounds to his abdomen, right leg and arm.

> **IAB NOTE:** On November 6, 2014, Deputy District Attorney Gretchen Ford of the Justice System Integrity Unit authored a Letter of Opinion. DDA Ford concluded that Deputies Hernandez and Malone acted

in, "Lawful self-defense and in defense of others." **Refer to Exhibit "B,"** for District Attorney's Letter of Opinion.

Internal Affairs Bureau Lieutenant Todd Weber was notified, and along with Sergeants Louis Vigil and David Ladjevic, responded to the location to conduct an administrative review of the incident. The following review is based on written documentation, interviews of witnesses and involved deputies.

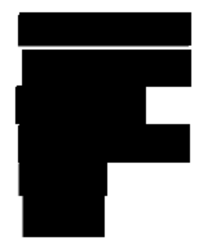
IAB Note: Homicide Bureau's complete casebook is included in this casebook. **Refer to Exhibit "A."**

IAB SHOOTING / FORCE TEAM

Lieutenant Todd Weber, Sergeant Louis Vigil, and Sergeant David Ladjevic.

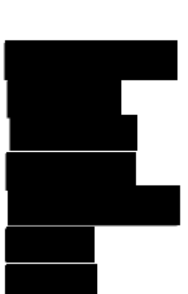
INVOLVED PERSONNEL

[redacted] # [redacted] (Stun Bag)
Pico Rivera Station / South Patrol Division



Date of Employment: [redacted]
Date Assigned to Station: [redacted]
Date Completed Patrol Training: [redacted]
Date of Range Qualification: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

[redacted] # [redacted] (TASER)
Pico Rivera Station / South Patrol Division



Date of Employment: [redacted]
Date Assigned to WHD Station: [redacted]
Date Completed Patrol Training: [redacted]
Date Assigned to PRV Station: [redacted]
Date of Range Qualification: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

Jose L. Hernandez # [redacted] (Firearm/Takedown)
Pico Rivera Station / South Patrol Division

Date of Employment: 01/07/1998

Date Assigned to Patrol: 10/01/2006
Date Completed Patrol Training: [redacted]
Date of Range Qualification: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

Ryan P. Malone #[redacted] (Firearm)
Pico Rivera Station / South Patrol Division

Date of Employment: 06/11/1998
Date Assigned to Patrol: 11/2007
Date Completed Patrol Training: [redacted]
Date of Range Qualification: [redacted]
Prior Shooting Incidents: [redacted]
Prior Founded Force Incidents: [redacted]

SUSPECT

Jesus Ruben Rojo MH/56 5'08 182

The Consolidated Criminal History System reveals Suspect Rojo has been arrested on several occasions. [redacted]

> **IAB NOTE:** Suspect Rojo's Criminal History Report is included in this casebook. **See Exhibit "A," page 98.**

DEPARTMENT WITNESSES

Lisa A. Gonzalez #[redacted] Deputy Sheriff

George Madrid #[redacted] Deputy Sheriff

Pablo Partida #[redacted] Sergeant

NON-DEPARTMENT WITNESSES

[redacted], [redacted]

IAB NOTE: Several of the neighboring houses were canvassed for potential witnesses. All other persons contacted did not see the incident, several only heard it. **See Exhibit "A," pages 21-24, and 36-44.**

INJURIES

Suspect

Suspect Jesus Rojo

Below are the injuries Suspect Rojo sustained during the incident:

- TASER Dart puncture to his left hand.
- Two gunshot wounds to his right arm.
- One gunshot wound to his right thigh.
- One gunshot wound to his abdomen.

See Exhibit "A," page 34, for Deputy Richard Canfield's #[redacted] supplemental report.

IAB Note: Suspect Rojo was given a toxicology test as he was being treated for his injuries. The test indicated positive for Benzodiazepines and amphetamines.

Deputy Personnel

Deputy [redacted]

Deputy [redacted] sustained a contusion to his right wrist. He was treated by David Weitzel, PAC, PIH Work Care, and released to full duty. **Refer to Exhibit "A," page 114, Medical Documentation and Exhibit "C," photographs of injury.**

Deputy Jose Hernandez

Deputy Hernandez sustained a strain to his spine and left shoulder, contusion to his left knee, and an abrasion to both hands. He was treated by David Weitzel, PAC, PIH Work Care, and released to full duty. **Refer to Exhibit "A," page 116, Medical Documentation and Exhibit "C," photographs of injuries.**

PHYSICAL EVIDENCE

Evidence was collected and booked by members of the Sheriff's Department Scientific Services Bureau.

> **IAB Note:** A sketch of the crime scene, and evidence legend, is included in this casebook. **See Exhibit "F,"** and **Exhibit "A," pages 64 thru 76.**
>
> Photographs of the scene are also included. See **Exhibit "E."**

DISTANCE

Deputy Hernandez and Malone were approximately 2-4 feet from the suspect when the shooting occurred.

INVESTIGATORS OBSERVATIONS

On February 4, 2014, the Internal Affairs Bureau's Force and Shooting Response Team responded to the city of Pico Rivera regarding a deputy involved hit shooting. The team consisted of Lieutenant Todd Weber, and Sergeants Louis Vigil and David Ladjevic.

> **IAB Note:** Internal Affairs Bureau Lieutenant Todd Weber checked to see that the Pico Rivera Station Watch Commander, Lieutenant Robert Smith, took reasonable steps to ensure the involved and witness personnel did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators, and that the involved and witness personnel did not collectively consult with their representative. In addition IAB Lieutenant Todd Weber checked to see if the watch commander attempted to have the involved and witness personnel gather in the company of a supervisor until they had provided a statement to the assigned investigators.

Upon IAB investigators' arrival they learned that there was an active command post and containment of the crime scene area. Investigators learned of the series of events, which culminated in a deputy involved, hit, shooting involving Deputy Jose Hernandez and Ryan Malone.

Homicide Bureau Detectives Teri Bernstein and Angus Ferguson handled the criminal

investigation. They entered the crime scene with Sheriff's Crime Lab Personnel. They documented their actions and finding on Supplemental Reports. **See Exhibit "A," pages 46-63.**

REVIEW OF RADIO TRANSMISSIONS

Sergeant Louis Vigil, Internal Affairs Bureau, reviewed the radio traffic regarding this incident. The review included the initial call on Dispatch 13, L-Tac and A-Tac transmissions. The times mentioned in this portion are approximates.

> **IAB Note:** Transmissions for both Dispatch 13 and L-Tac are separated in two parts. Part 1 includes radio traffic between 0430 – 0500 hours. Part 2 includes radio traffic between 0500- 0615 hours.

Dispatch 13 (Part1)

At 00:40 of the recording, Sheriff Communication Center (SCC) Dispatcher broadcasts, "927S (suspicious circumstances – person screaming call), 151D has the handle, 152E has the assist, [redacted] female in white garage in alley screaming for help, Tag 5."

Dispatch 13 (Part 2)

At 00:13 of the recording, Unit 151D broadcasts they are "Code 6" (out for investigation), and the call is the same as Tag 3.

At 00:33 of the recording, Unit 152E broadcasts, "Code 6 re: 927S call."

At 01:34 of the recording, Unit 151D request two more units regarding a male holding a machete and adds, he is either mentally ill or under the influence of a controlled substance. SCC dispatcher asks if he is requesting the units Code 3 (red lights / sirens). Unit 151D replies that there's distance between them and he's not coming out of his house. SCC dispatcher broadcasts the request. Unit 152F broadcasts, "In two," and 150S broadcasts, "In one." A male can be heard yelling profanities in both English and Spanish in the background during Unit 151D's broadcast.

At 03:09 of the recording, Unit 151D requests 150S to respond code 3. SCC broadcasts, "150S and second unit to respond code 3." Unit 150S broadcast for the unit to be placed on the "Patch" (Emergent radio mode). SCC also broadcasts that the air unit is not available to respond.

At 04:24 of the recording, Unit 151D advises the disturbing party went back into the house and closed the door. They are still standing in front.

At 04:53 of the recording, Unit 150S broadcasts that he arrived at the location.

At 04:58 of the recording, Unit 151B requests Fire Department to stage.

At 05:25 of the recording, Unit 152F broadcasts they are "Code 6."

At 05:53 of the recording, SCC inquires on the correct location for the Fire Department. Unit 151D broadcasts, "[redacted] Ivy Street with a cross street of Whittier Boulevard." A male can be heard yelling in the background during 151D's broadcast.

At 06:30 of the recording, a male broadcasts, "Drop the patch and have units go to L-Tac," (switch off emergent traffic mode on Dispatch 13; and involved units now use L-Tac regarding this operation.)

At 07:10 of the recording, Unit 150S requests two units from both East Los Angeles and Norwalk Station to respond to the location. He also advised they will be making exigency entry.

At 10:29 of the recording, SCC asks Unit 150S if a Tactical Channel is being requested. Unit 150S responds and SCC broadcasts that A-TAC 3 is reserved for this operation.

At 12:18 of the recording, SCC broadcasts that 20S is responding Code 3 to assist Pico Rivera.

At 12:46 of the recording, SCC broadcasts for any K-9 unit regarding a barricaded suspect in Pico Rivera.

At 15:00 of the recording, SCC inquires with 950D (Aero Desk) for an estimated time for and airship to launch. SCC then broadcast per 950D, aero will be launching at 0600 hours.

At 15:32 of the recording, Unit 150S inquires if SEB (Special Enforcement Bureau) is responding to this incident. SCC replies, "SEB is not responding till further notice."

At 16:32 of the recording, Unit 150S broadcasts that they have made entry and the suspect is at one of the doorways, threatening to kill [redacted]. They do not have an "obs" on [redacted] but he (inaudible) with a machete. SCC advises Unit 150S that he is broadcasting on the working frequency. A male can be heard yelling in the background during Unit 150S' broadcast.

At 17:54 of the recording, Unit 151D broadcasts "998," Unit 151B then broadcasts, "998, [redacted] Ivy Street, Pico Rivera."

At 18:32 of the recording, SCC broadcasts that deputies are coming out the front door,

and advice they are now on the "patch." Paramedics are requested to [redacted] Ivy. Unit 151M2 advises he is at the CP and Fire is rolling in.

At 23:25 of the recording, Air 7 advises they are enroute.

L-Tac (Part 1)

At 01:42 of the recording, a male deputy inquires with Pico Rivera Desk (150D) if that is the same call. 150D replies that it might be the same call.

L-Tac (Part 2)

At 00:13 of the recording, Pico Rivera Desk (150D) broadcasts that it could be related.

At 1:37 of the recording, 150S is requested to location. A male can be heard yelling in the background as the deputy broadcasts.

At 02:21 of the recording, Unit 151B requests any available units to respond to [redacted] Ivy Street. A male can be heard yelling in the background as she broadcasts.

At 04:32 of the recording, Unit 151B broadcasts the Informant's [redacted] is the only other person in the house. He is in the bedroom to the right of the living room. She adds there are knives in the house.

At 05:00 of the recording, Unit 151D broadcasts the suspect is in the living room, yelling at the wall.

At 06:01 of the recording, a deputy broadcasts that the house to the west has been evacuated and they are working on the next one.

At 06:15 of the recording, a deputy broadcasts that they made contact at the rear door. A male can be heard yelling in the background during the broadcast.

At 06:25 of the recording, a deputy requests less-lethal weapon to the rear of the location. A male can be heard yelling in the background during the broadcast.

At 10:59 of the recording, a deputy broadcasts for units regarding the call on Ivy to switch to A-Tac 3.

At 12:05 of the recording, a deputy requests the location of the command post. Pico Rivera Desk (150D) replies that there's no command post yet.

A-Tac 3

At 00:30 of the recording, a deputy broadcasts that they are getting a game plan together with the units on scene. They are going to make entry through the rear. They are posting lethal and less lethal at the front door.

At 04:27 of the recording, a deputy coordinates with units in the front of the location regarding cross fire concerns and responsibilities if the suspect exits. Less lethal weapons position is discussed.

At 08:15 of the recording, a deputy broadcasts they are making contact, he's coming out the back.

At 08:50 of the recording, a deputy broadcasts that they popped the door, he came out with the machete but went back inside.

At 10:00 of the recording, Unit 151B requests the command post to be set up at the CVS, Whittier and Paramount.

At 11:01 of the recording, Unit 151B broadcasts there still are deputies at the north door. The disturbing party (DP) keeps opening and closing the door.

At 11:20 of the recording, a deputy broadcasts the suspect is making threats that he is going to kill [redacted]

At 11:40 of the recording, a deputy broadcasts that the door is busted but he (suspect) keeps kicking it back.

At 13:01 of the recording, a deputy broadcasts that the DP is coming out of the window, on the north side of the location. 150S advises crossfire concern.

At 13:37 of the recording, Unit 151B broadcasts that the DP is still inside, walking from room to room, refusing to come out. Another deputy broadcasts he's (suspect) pointing the machete throughout the house.

At 14:45 of the recording, Unit 151B broadcasts that units will be making entry.

At 16:28 of the recording, Unit 151B inquires on K-9's ETA. K-9 Unit advises they are 20-25 minutes away.

At 17:12 of the recording, Unit 151B requests the location north of the location to be evacuated.

At 17:47 of the recording, Unit 151B broadcasts the DP is still inside, going room to

room, and threating deputies and that he will kill the [redacted].

At 24:20 of the recording, Unit 151B broadcasts that deputies are inside.

At 24:44 of the recording, Unit 151B broadcasts "998, 998."

At 25:26 of the recording, A-Tac frequency is linked with Dispatch 13 frequency.

> **IAB Note:** Compact Disc containing the recording of the radio traffic is included in this case book. **Refer to Exhibit "D."**

FIREARMS USED BY DEPUTY PERSONNEL

Deputy Hernandez fired nine rounds of Department issued 9mm ammunition from his Department issued Smith & Wesson, model M&P9, semiautomatic pistol. The firearm was examined by Deputy David Kim, Scientific Services Firearms Identification Unit, and found it to be functional. **Refer to Exhibit "A," page 121- 126.**

Deputy Malone fired one round of Department issued 9mm ammunition from his Department issued Smith & Wesson, model M&P9, semiautomatic pistol. The firearm was examined by Deputy David Kim, Scientific Services Firearms Identification Unit, and found it to be functional. **Refer to Exhibit "A," page 121- 126.**

Deputy [redacted] fired three rounds of Department "Bean Bag" shells from a Department Beam Bag Shotgun, Remington, model 870 Police Magnum, 12 Gauge, #[redacted] The firearm was examined by Deputy David Kim, Scientific Services Firearms Identification Unit, and found it to be functional. **Refer to Exhibit "A," page 121- 126.**

WEAPONS USED BY SUSPECT

A large machete, with a black handle, was recovered from the front walkway of the location.

A large kitchen butcher knife, with black handle, was recovered from the living floor near the entrance to the hallway, inside the location.

> **IAB Note:** The machete was processed for latent prints, no latent prints were developed. **Refer to Exhibit "A", page 120**, Chemical Processing Examination Report.

PROPERTY DAMAGE

Damage to windows and rear door of the location were caused by Department members during the incident. Bullet holes to interior walls were also located. Photos and a sketch of the scene, including the positions of the property damage are included in this casebook. **Refer to Exhibit "A," page 64 – 76 and Exhibit "E," and "F."**

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigators' Names:	Detectives Teri Bernstein and Angus Ferguson.
Court:	Norwalk Superior Court
Case:	VA133784
Charges Filed:	245(A)(4), 245(C), 422(A), 664/187 PC.

Suspect Rojo was sentenced on 12/11/2014 to 10 years in State Prison.

LIGHTING AND WEATHER CONDITIONS

Early morning, clear and cold.

INVOLVED EMPLOYEE STATEMENTS

[redacted] #[redacted], Deputy Sheriff

Deputy [redacted] was interviewed by Homicide Investigators Teri Bernstein and Angus Ferguson at Pico Rivera Station on February 4, 2014, at approximately 1322 hours. The interview was digitally audio recorded. **Refer to Exhibit "A,"** page 52 for the Homicide Investigator's summary.

On September 15, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Deputy [redacted] at the Internal Affairs Bureau building. The interview was digitally audio recorded. Deputy [redacted] was represented by Ms. Maureen Okwuosa, Attorney at Law.

> **IAB Note:** Deputy [redacted] was working Pico Rivera Station Unit 152F/EM's with his [redacted] Deputy Jose Hernandez, on February 4, 2014.

Deputy [redacted] said they responded to [redacted] Ivy Street regarding an assistance request. When they arrived, he saw a male standing on the porch of the residence holding a machete. Deputy [redacted] was directed by Sergeant Partida to grab the stun bag shot gun out of the Tahoe. Deputy [redacted] loaded the stun bag shot gun and positioned himself on the south side of the location, at the front gate.

Deputy [redacted] said deputies were giving Suspect Rojo commands to drop the machete. Suspect Rojo continued waving the machete and yelling threats. The threats were both in English and Spanish. Suspect Rojo walked off the porch and began walking towards them. Deputy [redacted] heard Sergeant Partida say, "Hey, shoot him with the stun bag." Deputy [redacted] said he shot one round, striking him in the torso. The shot appeared to have no effect on Suspect Rojo. Sergeant Partida told Deputy [redacted] to fire two more rounds. Deputy [redacted] fired two more rounds, and Suspect Rojo retreated back into the house.

Deputy [redacted] fired the second and third rounds simultaneously. He believed he struck Suspect Rojo with all three rounds.

Deputy [redacted] said they reassessed the situation. It was at this time, Deputy Gonzalez spoke with the Suspect Rojo's [redacted] and obtained further information regarding past assaults. It was also learned the suspect's bedridden [redacted] was still in the house. During this time they were able to hear Suspect Rojo yelling threats that he was going to kill them, and his [redacted]

Deputy [redacted] said due to evolving circumstances, they developed a plan to rescue the [redacted]

Deputy [redacted] said as soon as additional deputies arrived, he along with other deputies went to the rear of the location as part of their plan to conduct an entry and rescue the [redacted] The plan included picking and ramming the rear door, as Deputy Gonzalez threw an object through a window to cause a diversion.

Deputy [redacted] was assigned to cover a north-facing window. As deputies were ramming the rear door, Deputy [redacted] heard the deputies say the suspect was attempting to strike them with the machete. Eventually, the door went down and deputies entered. Deputy [redacted] was still holding cover on the north-facing window when he heard deputies say, "Put down the machete." Deputy [redacted] heard the sound of a TASER being activated, then six to eight gunshots.

Deputy [redacted] entered the location via the rear door, and made his way into the living room. He saw Suspect Rojo lying on his stomach, moving side to side, attempting to roll over as deputies tried to handcuff him. Deputy [redacted] grabbed one of Suspect Rojo's arms as Deputy Hernandez grabbed the other. They were then able to handcuff Suspect Rojo with no further incident.

Deputy [redacted] indicated on pictures and sketches of the scene, the approximate position he and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

For his complete statements, refer to Deputy [redacted]s interview transcripts, included in this case book.

[redacted], #[redacted], Deputy Sheriff

Deputy [redacted] was interviewed by Homicide Investigators Teri Bernstein and Angus Ferguson at Pico Rivera Station on February 4, 2014, at approximately 1208 hours. The interview was digitally audio recorded. **Refer to Exhibit "A,"** page 49 for the Homicide Investigator's summary.

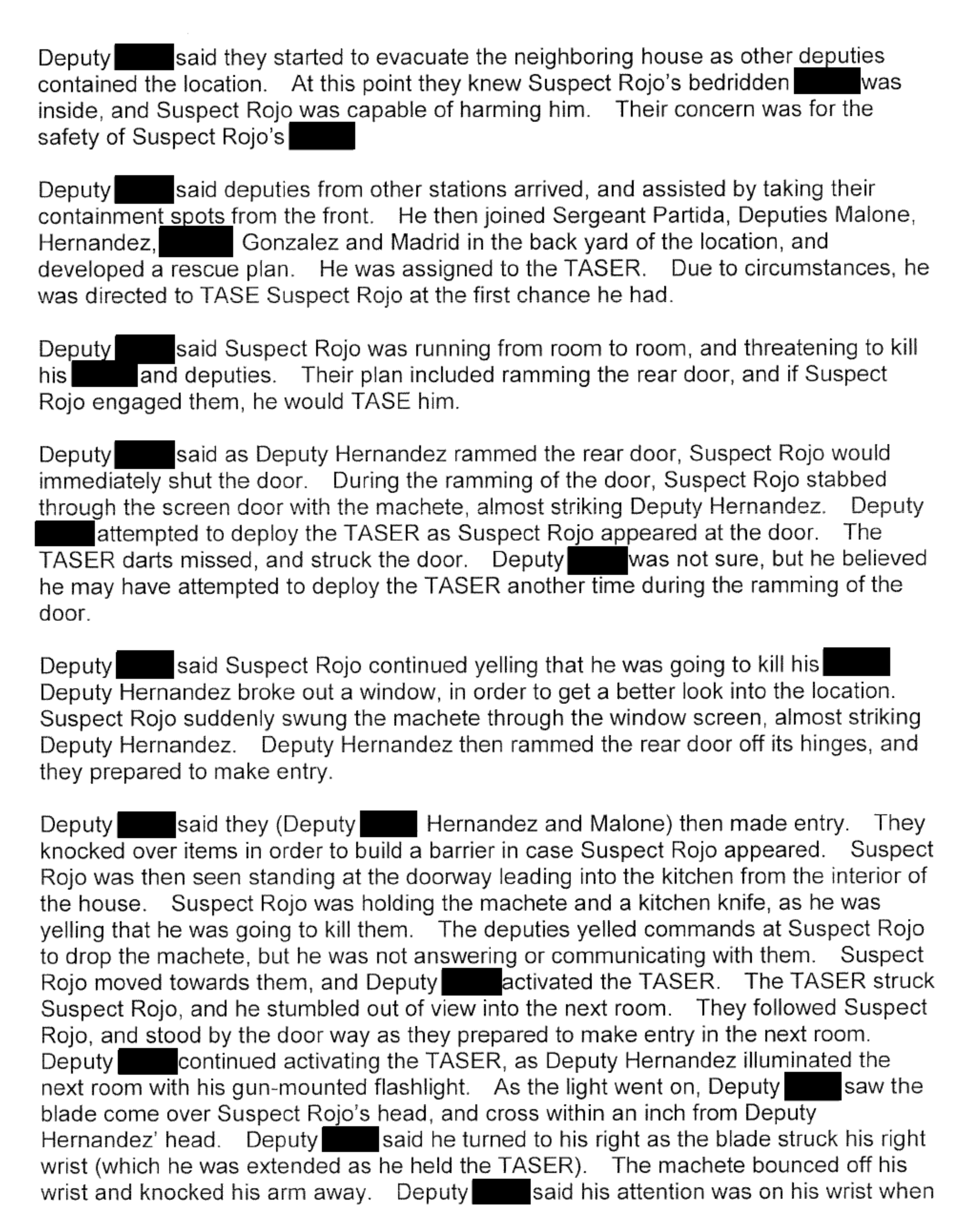
On September 22, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Deputy [redacted] at the Internal Affairs Bureau building. The interview was digitally audio recorded. Deputy [redacted] was represented by Ms. Maureen Okwuosa, Attorney at Law.

IAB Note: Deputy [redacted] was working Pico Rivera Station Unit 151D/EM's with his partner, Deputy George Madrid, on February 4, 2014. Deputy Madrid was driving.

Deputy [redacted] said they responded to [redacted] Ivy Street, Pico Rivera, regarding a call involving a male named "[redacted]" screaming. As they responded, Deputy Madrid mentioned that he handled a prior call at the location involving a male known to carry machetes. Prior to arriving, they met with the handling unit, Deputy Lisa Gonzalez and told her of the prior contact at the location. They then drove to the location. Upon arriving, they contacted Suspect Rojo's [redacted] in the driveway of the location, which was located off the alley. As Deputy Madrid and Deputy Gonzalez contacted the female, they learn Suspect Rojo assaulted her. It was at this point, Deputy [redacted] heard Suspect Rojo screaming from the front door of the house. Suspect Rojo was yelling profanities in Spanish, and telling them to get away. At this time, Suspect Rojo remained on the porch and the deputies were standing in the alley.

Deputy [redacted] said he initially requested "back up," but as soon as he saw the machete in Suspect Rojo's hand, he requested a sergeant and deputies to respond code three. When the back up units arrived, Sergeant Partida directed Deputy [redacted] to shoot Suspect Rojo with the Stun Bag shotgun if he advanced towards them. Suspect Rojo then walked towards them, threatening them with the machete he was holding. Deputy [redacted] shot at Suspect Rojo three times with the stun bag shot gun. Suspect Rojo retreated back into his house and shut the door. Deputy [redacted] did not see a reaction from the first shot, but Suspect Rojo ran back into the house after the second and third shots.

Deputy [redacted] said they were yelling commands at Suspect Rojo to drop the machete, prior to the use of the stun bag shot gun.



Deputy [redacted] said they started to evacuate the neighboring house as other deputies contained the location. At this point they knew Suspect Rojo's bedridden [redacted] was inside, and Suspect Rojo was capable of harming him. Their concern was for the safety of Suspect Rojo's [redacted]

Deputy [redacted] said deputies from other stations arrived, and assisted by taking their containment spots from the front. He then joined Sergeant Partida, Deputies Malone, Hernandez, [redacted] Gonzalez and Madrid in the back yard of the location, and developed a rescue plan. He was assigned to the TASER. Due to circumstances, he was directed to TASE Suspect Rojo at the first chance he had.

Deputy [redacted] said Suspect Rojo was running from room to room, and threatening to kill his [redacted] and deputies. Their plan included ramming the rear door, and if Suspect Rojo engaged them, he would TASE him.

Deputy [redacted] said as Deputy Hernandez rammed the rear door, Suspect Rojo would immediately shut the door. During the ramming of the door, Suspect Rojo stabbed through the screen door with the machete, almost striking Deputy Hernandez. Deputy [redacted] attempted to deploy the TASER as Suspect Rojo appeared at the door. The TASER darts missed, and struck the door. Deputy [redacted] was not sure, but he believed he may have attempted to deploy the TASER another time during the ramming of the door.

Deputy [redacted] said Suspect Rojo continued yelling that he was going to kill his [redacted] Deputy Hernandez broke out a window, in order to get a better look into the location. Suspect Rojo suddenly swung the machete through the window screen, almost striking Deputy Hernandez. Deputy Hernandez then rammed the rear door off its hinges, and they prepared to make entry.

Deputy [redacted] said they (Deputy [redacted] Hernandez and Malone) then made entry. They knocked over items in order to build a barrier in case Suspect Rojo appeared. Suspect Rojo was then seen standing at the doorway leading into the kitchen from the interior of the house. Suspect Rojo was holding the machete and a kitchen knife, as he was yelling that he was going to kill them. The deputies yelled commands at Suspect Rojo to drop the machete, but he was not answering or communicating with them. Suspect Rojo moved towards them, and Deputy [redacted] activated the TASER. The TASER struck Suspect Rojo, and he stumbled out of view into the next room. They followed Suspect Rojo, and stood by the door way as they prepared to make entry in the next room. Deputy [redacted] continued activating the TASER, as Deputy Hernandez illuminated the next room with his gun-mounted flashlight. As the light went on, Deputy [redacted] saw the blade come over Suspect Rojo's head, and cross within an inch from Deputy Hernandez' head. Deputy [redacted] said he turned to his right as the blade struck his right wrist (which he was extended as he held the TASER). The machete bounced off his wrist and knocked his arm away. Deputy [redacted] said his attention was on his wrist when

he heard gunshots and saw muzzle flash.

IAB Note: The TASER download information sheet for TASER Serial X00-607582 indicates 3 activations on 02/04/2014 (activation 1-05:54:24, 3 seconds, 2- 06:10:54, 18 seconds, and activation 3-06:11:04, 5 seconds). No other activations are indicated for that date. **Refer to Miscellaneous Documents.**

Deputy [redacted] said after the shots, Deputy Hernandez and Malone made their approach into the living room and he followed. As Deputy Hernandez entered the room, Deputy [redacted] heard him yelling that he was going for the machete again. As soon as Deputy [redacted] entered the room, he saw Suspect Rojo lying face down as Deputy Hernandez was pulling the machete away from him. Deputy [redacted] was then concerned that Suspect Rojo had his hand under his body, and the kitchen knife was not visible. With the assistance of Deputy Madrid, they placed Suspect Rojo's arms behind his back and handcuffed him.

IAB Note: Deputy [redacted] was wearing a Department jacket that covered his arms and wrist during this incident.

Deputy [redacted] indicated on pictures and sketches of the scene, the approximate position he and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

For his complete statements, refer to Deputy [redacted]s interview transcripts, included in this case book.

Ryan P. Malone #[redacted] Deputy Sheriff

Deputy Ryan P. Malone was interviewed by Homicide Investigators Teri Bernstein and Angus Ferguson at Pico Rivera Station on February 4, 2014, at approximately 1341 hours. The interview was digitally audio recorded. **Refer to Exhibit "A,"** page 53 for the Homicide Investigator's summary.

On September 15, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Deputy Ryan Malone at the Internal Affairs Bureau building. The interview was digitally audio recorded. Deputy Malone was represented by Ms. Maureen Okwuosa, Attorney at Law.

IAB Note: Deputy Malone was working Pico Rivera Unit 152E/ EM's (one person car) on February 4, 2014.

Deputy Malone said he and other deputies responded to [redacted] Ivy Street, Pico Rivera, regarding a person screaming call. Prior to arriving at the location, he and other units

met near the location and drove in at the same time. When they arrived, he was walking eastbound in the alley towards a female, standing in the driveway of [redacted] Ivy Street. It was at that point, he heard a Suspect Rojo yelling from the front porch. As Suspect Rojo yelled, Deputy Madrid told Deputy Malone about a prior contact he had with Suspect Rojo. On that contact, Suspect Rojo was armed with a machete. Deputy Madrid moved to a position where he was able to see Suspect Rojo holding a machete.

Deputy Malone said Suspect Rojo yelled profanities, and told them to get out of there. Deputy Madrid requested additional units and a sergeant to respond to their location.

Deputy Malone said Suspect Rojo continued yelling as he (Suspect Rojo) entered and exited the location. Suspect Rojo did not step off the porch, and the deputies remained in the alley, with a chain link fence between them and Suspect Rojo. During this time, Deputy Malone yelled for Suspect Rojo to drop the machete.

Deputy Malone said when additional deputies arrived, he heard the sergeant telling one of the deputies to grab the stung bag shot gun. At this point, Suspect Rojo continued yelling from the porch, as he held the machete. Suspect Rojo began to walk off the porch towards the deputies. Deputy Malone saw Deputy [redacted] deploy the stung bag shotgun three times at Suspect Rojo. Suspect Rojo then retreated back into the house.

Deputy Malone, along with Deputy Madrid, ran around the east side of the location and monitored the rear. Deputy Malone's intent was to contain the location.

Deputy Malone said Suspect Rojo opened the rear door and began yelling profanities at them. Suspect Rojo retreated back into the house and shut the door. Deputy Malone requested an additional deputy and a less lethal weapon to their location.

Deputy Malone said that at this point, they knew Suspect Rojo was inside with his [redacted] Suspect Rojo continued to yell that he was going to kill his [redacted] and the deputies. Based on past assaults and information being obtained from Suspect Rojo's [redacted], they believed Suspect Rojo would harm his [redacted] A plan was developed to enter the location and conduct a rescue.

Deputy Malone said the plan was to enter the house through the back door. Windows at the rear of the house were broken out as diversion, as Deputy Hernandez used a ram on the back door. As the door opened, Suspect Rojo would shut it. This occurred several times. As the door opened, Suspect Rojo would thrust and swing the machete through the door screen towards them.

Deputy Malone said Sergeant Partida directed Deputy [redacted] to deploy the TASER at Suspect Rojo when he attempted to shut the door. The TASER was deployed, but it

appeared not to strike Suspect Rojo.

Deputy Hernandez broke out a north facing bedroom window as a diversion, and quickly ran back to the rear door and rammed it. This time, Suspect Rojo did not shut the door. Deputy Hernandez rammed the door again, near the hinges, causing the door to break off, giving them a better view of the interior.

Deputy Malone said they discussed their plan. He, Deputy Hernandez, and Deputy [redacted] entered the kitchen and moved items out of the area. They also tipped over a table to create a barrier in case Suspect Rojo returned. Suspect Rojo appeared and stood at the doorway leading into the kitchen, holding the machete and knife, yelling "satanas, satanas." Suspect Rojo began thrusting the knife downwards onto the floor. Suspect Rojo quickly walked towards them, and Deputy [redacted] deployed the TASER. Suspect Rojo retreated back into the living room, and it sounded like he may have fallen.

Deputy Malone heard the TASER cycle and they followed the TASER wire across the kitchen to the doorway. Deputy Malone said they were side by side as they stood near the doorway (leading into the living room). As Deputy Hernandez illuminated the dark living room area, Suspect Rojo stepped out of the dark room and swung the machete at them. The machete went by Deputy Hernandez' face, near Deputy Malone's chest and hit Deputy [redacted]s hand. Fearing for their lives, Deputy Malone fired one round from his weapon. He was not sure if he struck Suspect Rojo. Deputy Malone was not able to see Suspect Rojo after he fired.

Deputy Malone said Suspect Rojo fell back into the living room. They heard moaning, and entered the living room. He saw Suspect Rojo propped up against furniture in the middle of the room. Deputy Hernandez ordered Suspect Rojo to get on the ground. Suspect Rojo turned to his side, and went down to his knees and hands, as Deputy Hernandez held him down to the ground. Suspect Rojo pushed himself back up and reached for the machete, which was near him. Deputy Hernandez jumped over Suspect Rojo and stepped on the machete. Deputy Hernandez then kicked the machete away. Suspect Rojo was handcuffed with no further incident.

Deputy Malone indicated on pictures and sketches of the scene, the approximate position he and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

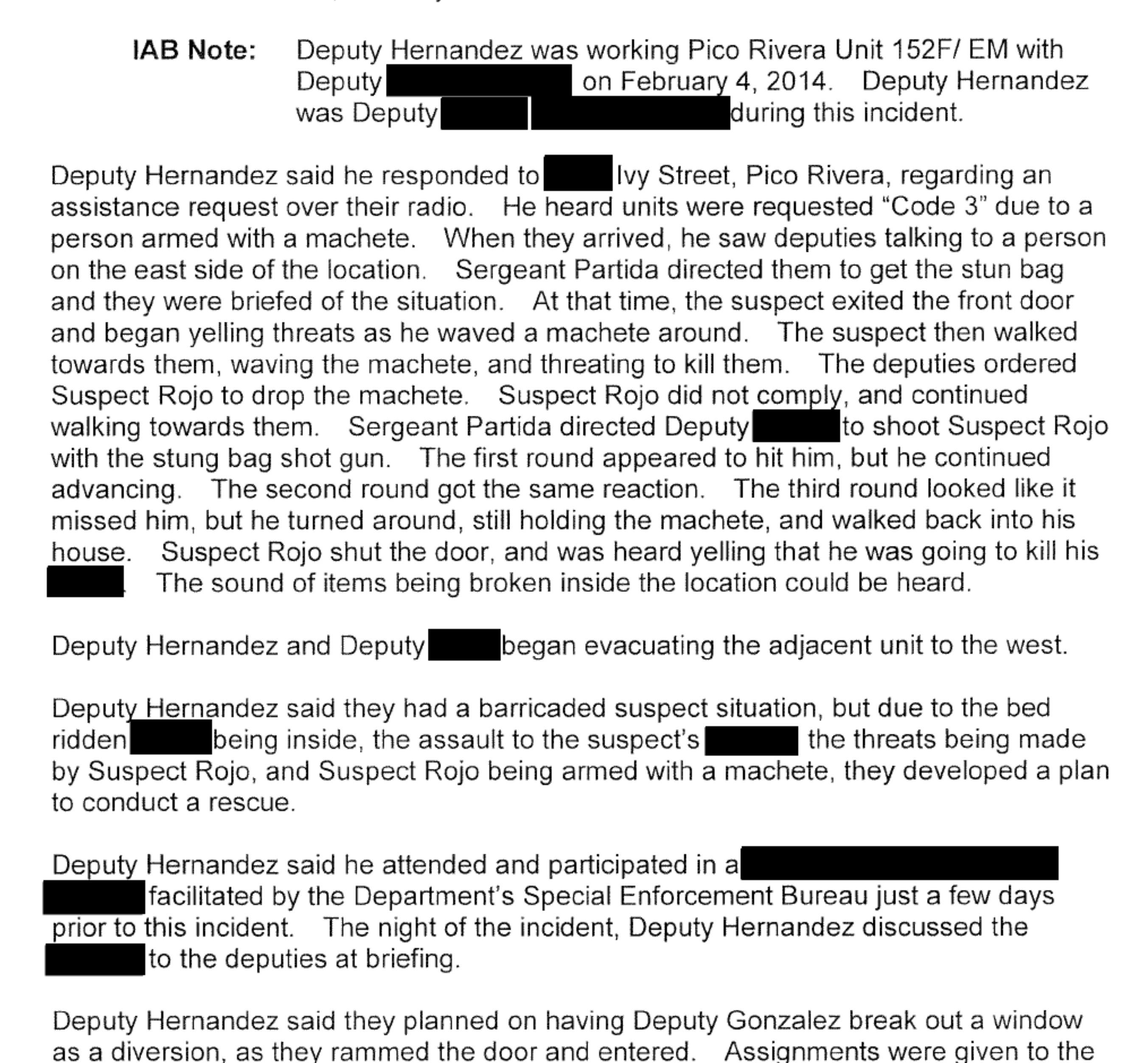
For his complete statements, refer to Deputy Malone's interview transcripts, included in this case book.

Jose L. Hernandez #[redacted] Deputy Sheriff

Deputy Jose L. Hernandez was interviewed by Homicide Investigators Teri Bernstein

and Angus Ferguson at Pico Rivera Station on February 4, 2014, at approximately 1428 hours. The interview was digitally audio recorded. **Refer to Exhibit "A,"** page 55 for the Homicide Investigator's summary.

On September 30, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Deputy Jose Hernandez at the Internal Affairs Bureau Building. The interview was digitally audio recorded. Deputy Hernandez was represented by Ms. Maureen Okwuosa, Attorney at Law.



IAB Note: Deputy Hernandez was working Pico Rivera Unit 152F/ EM with Deputy [redacted] on February 4, 2014. Deputy Hernandez was Deputy [redacted] during this incident.

Deputy Hernandez said he responded to [redacted] Ivy Street, Pico Rivera, regarding an assistance request over their radio. He heard units were requested "Code 3" due to a person armed with a machete. When they arrived, he saw deputies talking to a person on the east side of the location. Sergeant Partida directed them to get the stun bag and they were briefed of the situation. At that time, the suspect exited the front door and began yelling threats as he waved a machete around. The suspect then walked towards them, waving the machete, and threating to kill them. The deputies ordered Suspect Rojo to drop the machete. Suspect Rojo did not comply, and continued walking towards them. Sergeant Partida directed Deputy [redacted] to shoot Suspect Rojo with the stung bag shot gun. The first round appeared to hit him, but he continued advancing. The second round got the same reaction. The third round looked like it missed him, but he turned around, still holding the machete, and walked back into his house. Suspect Rojo shut the door, and was heard yelling that he was going to kill his [redacted]. The sound of items being broken inside the location could be heard.

Deputy Hernandez and Deputy [redacted] began evacuating the adjacent unit to the west.

Deputy Hernandez said they had a barricaded suspect situation, but due to the bed ridden [redacted] being inside, the assault to the suspect's [redacted] the threats being made by Suspect Rojo, and Suspect Rojo being armed with a machete, they developed a plan to conduct a rescue.

Deputy Hernandez said he attended and participated in a [redacted] facilitated by the Department's Special Enforcement Bureau just a few days prior to this incident. The night of the incident, Deputy Hernandez discussed the [redacted] to the deputies at briefing.

Deputy Hernandez said they planned on having Deputy Gonzalez break out a window as a diversion, as they rammed the door and entered. Assignments were given to the deputies (less lethal, lethal, and arrest) as Suspect Rojo continued yelling and threatening them with the machete. Deputy Gonzalez broke out a window and Deputy

Hernandez rammed the back door. The back door opened, but then immediately shut. Deputy Hernandez rammed the door open again. This time Suspect Rojo pulled the door open before Deputy Hernandez hit it. Suspect Rojo suddenly put the machete or knife that he was holding through the door screen, towards Deputy Hernandez. Deputy Hernandez reacted by stepping back, but the machete made contact with the ram and his right hand.

Deputy Hernandez heard a TASER being activated and the prongs striking the door. He was not able to see who deployed the TASER.

Deputy Hernandez heard deputies saying Suspect Rojo was pacing back and forth inside the house, so he decided to break out a north facing window to cause a diversion, in order to continue their entry attempt. It was after breaking the window, Suspect Rojo appeared at the window, thrusting the machete through the window, towards Deputy Hernandez.

Deputy Hernandez again hit the back door with the ram, and was able to break the door off its hinges. The door was open, and Deputy Hernandez, Deputy Malone and Deputy [redacted] stood near the door way. At this point, Deputy Malone began yelling at Suspect Rojo, who was standing at the kitchen doorway leading into the living room, to drop the machete.

Deputy Hernandez saw Suspect Rojo holding the machete in his right hand and a knife in his left hand, as he stood in the doorway leading into the hallway/living room. Suspect Rojo continued threatening them, and appeared to be praying to Satan as he stabbed the knives into the floor. Deputies Malone and Hernandez kept ordering Suspect Rojo to drop the machete. Suspect Rojo remained at the doorway, as they began clearing the kitchen area and set up the kitchen table as barrier between them. Sergeant Partida directed Deputy [redacted] to use the TASER if he advanced towards them. As soon as the table was set up, Suspect Rojo walked towards them. Deputy [redacted] activated the TASER at Suspect Rojo. Suspect Rojo reacted by tensing up and falling back, and retreating back into the livingroom area.

Deputy Hernandez said they slowly and methodically followed the TASER wire, and stopped at the doorway leading into the hallway. The hallway was dark, so Deputy Hernandez illumined it with his gun mounted flash light. As he light up the hallway, he saw Suspect Rojo standing two feet in front of him, as he swung the machete within inches from his face. Fearing for his life, he shot at Suspect Rojo. Suspect Rojo then turned around, still holding the machete and knife, and retreated back into the living room. Deputy Hernandez believed he shot his weapon four to six times.

Deputy Hernandez said he brought his light back up, and was able to see Suspect Rojo standing, propped up against some furniture, in the livingroom. He saw he was still holding the knife in his left hand, and he ordered him to drop it. Deputy Hernandez

approached Suspect Rojo and pushed him down onto the floor. As Suspect Rojo landed face down, he reached for the machete that was laying on the floor, within reach. Deputy Hernandez, fearing Suspect Rojo would pick up the machete and continue his assault on them, stepped on his (Suspect Rojo's) right arm and kicked the machete away from him. As he did this, the other deputies began to handcuff Suspect Rojo. Deputy Hernandez' focus was still on the machete, and he warned the deputies that he may still have the knife. Deputy Hernandez said the deputies quickly handcuffed Suspect Rojo. At the same time, Deputy Hernandez picked up the machete, and placed it outside the front door.

Deputy Hernandez indicated on pictures and sketches of the scene, the approximate position he and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

For his complete statements, refer to Deputy Hernandez' interview transcripts, included in this case book.

SUSPECT STATEMENT

Suspect Jesus Ruben Rojo

Suspect Jesus Rojo was interviewed on February 12, 2014, at approximately 1206 hours by Homicide Investigators Teri Berstein and Angus Ferguson. The interview was conducted the Los Angeles County Medical Center / USC in hospital room 7C124. The interview was digitally audio recorded. **Refer to Exhibit "A,"** page 61 for the Homicide Investigator's summary.

Suspect Jesus Rojo said the day of the incident, everything went wild. He said he started feeling pain and realized he was being shot, but not with bullets. He was hit in the groin and buttocks approximately 4 times with stunbag rounds.

Suspect Rojo said he remembered telling the deputies everything was cool and his [redacted] was just hyper. He was holding a machete, and had it on his side. He also remembered having a big knife he got from the kitchen.

Suspect Rojo said he was sticking the machete through the window and doors at the deputies, and telling them not to come into his house. He was upset because they were trying to take off the doors.

Suspect Rojo said he told the deputies, in English to, "Please, please, please, get away, everything is ok, in the name of Jesus please don't scare my [redacted], don't scare my [redacted] don't scare me."

Suspect Rojo remembered being shot on the hand with a TASER. He said he told the deputies to leave him there to die with his [redacted].

Suspect Rojo said he uses crystal methamphetamines, and had used drugs on the day of the incident.

For his complete statements, refer to Suspect Rojo's interview transcripts, included in this case book.

DEPARTMENT WITNESS STATEMENTS

Pablo Partida #[redacted], Sergeant

Sergeant Pablo Partida was interviewed by Homicide Investigators Teri Bernstein and Angus Ferguson at Pico Rivera Station on February 4, 2014, at approximately 1512 hours. The interview was digitally audio recorded. **Refer to Exhibit "A**," page 56 for the Homicide Investigator's summary.

On September 15, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Sergeant Pablo Partida at the Internal Affairs Bureau building. The interview was digitally audio recorded. Sergeant Partida was represented by Ms. Maureen Okwuosa, Attorney at Law.

> **IAB Note:** Sergeant Partida was working as the Field Sergeant, Unit 150S/Days, on February 4, 2014.

Sergeant Partida said he responded to [redacted]vy Street, Pico Rivera, when a deputy requested a supervisor on L-Tac. As he was responding, SCC requested he respond Code-3 due a male being armed with a machete. Sergeant Partida requested that the deputy be placed on the duplex patch, in order to obtain more information

Sergeant Partida arrived and saw Suspect Rojo standing on the porch, holding a machete and yelling in English and Spanish. He heard deputies, who were already on scene, giving Suspect Rojo orders to drop the machete.

Sergeant Partida directed Deputy [redacted] to retrieve the stun bag shotgun from the Supervisor's Vehicle (Tahoe) and position himself in the alley, facing the front door. There was no dialogue with Suspect Rojo, other than the deputies giving him orders. Suspect Rojo was cursing, and threatening to kill them and his [redacted] inside. Suspect Rojo was holding the machete as he walked in and out of the house, yelling and cursing. Sergeant Partida directed Deputy [redacted] to shoot Suspect Rojo with the stun bag shot gun if he advanced towards them.

Sergeant Partida said at this point, his focus was on Suspect Rojo, and he wanted to make sure they had less lethal weapons ready. Suspect Rojo began to advance on the walkway, towards the deputies. Suspect Rojo was irate, and holding the machete in his right hand. Sergeant Partida believed Suspect Rojo was going to assault them, and he directed Deputy [redacted] to shoot Suspect Rojo with the stun bag shotgun. Deputy [redacted] shot one stun bag round at Suspect Rojo, and it appeared to have no effect on him. Sergeant Partida ordered Deputy [redacted] to shoot him a second and third time. Sergeant Partida was not sure if the rounds struck Suspect Rojo. Suspect Rojo retreated back into the house.

Sergeant Partida said deputies positioned on the east side of the location were able to hear Suspect Rojo running throughout the house, yelling that he was going to kill them and his [redacted] Sergeant Partida contacted the handling deputy, Deputy Gonzalez, and was informed the mother of Suspect Rojo had told her he (Suspect Rojo) was acting crazy, and she was fearful he would harm her bedridden husband.

Sergeant Partida said at this point the location was contained, and neighboring residences were evacuated. They also briefed and developed a plan to enter and rescue Suspect Rojo's [redacted] Their plan included assigning the duties of having less lethal and lethal weapons ready, radio, and a deputy to cause a diversion when the entry was made. Sergeant Partida requested the assistance of East Los Angeles and Norwalk Station, airship, and K-9. At this point, there was no dialogue with Suspect Rojo.

Sergeant Partida said the plan was to enter the location through the rear door. When they reached the rear, Deputy Gonzalez began to break windows as a diversion, as Deputy Hernandez rammed the rear door. As Deputy Hernandez rammed the door, Suspect Rojo swung the machete up and down at the deputies, and shut the door closed. Suspect Rojo did this several times before Sergeant Partida directed Deputy [redacted] to use the TASER on Suspect Rojo when he appeared at the door again. The door was rammed again, and Suspect Rojo appeared at the door. Deputy [redacted] activated his TASER at Suspect Rojo, but the door shut and the TASER darts missed him.

Sergeant Partida said Suspect Rojo continued to close the door as they pushed it open.

Sergeant Partida believed Suspect Rojo's [redacted] was in danger and it was their duty to enter and rescue him.

Sergeant Partida said Deputy Hernandez broke out a north-facing window as diversion, to get Suspect Rojo out of the kitchen. As soon as he saw him in another portion of the house, Sergeant Partida ordered the rear door to be rammed again, and broken off it hinges. Once the door fell off its hinges, they were able to see that Suspect Rojo was not in the kitchen. The deputies continued with their plan, and entered through the

rear door.

Sergeant Partida directed the deputies to use items in the kitchen to create a barrier to slow Suspect Rojo, in case he advanced towards them. Suspect Rojo could be heard yelling just past the doorway, or hallway, leading from the kitchen area.

Sergeant Partida said Suspect Rojo was standing, yelling, and holding the machete in the doorway between the kitchen and the rest of the house. Sergeant Partida directed Deputy [redacted] to shoot Suspect Rojo with the TASER. Deputy [redacted] activated his TASER at Suspect Rojo and appeared as if it struck him, causing him to fall back.

> **IAB Note:** Sergeant Partida was in the kitchen standing behind Deputy Malone, Hernandez, and [redacted] during this time.

Sergeant Partida said the deputies methodically advanced through the kitchen, towards the area Suspect Rojo had fallen. It was at this point, as they made their turn out of the kitchen area, Sergeant Partida heard gunshots. Sergeant Partida made his way into the dark living room, and saw Deputy Hernandez move the machete away from Suspect Rojo's reach. Suspect Rojo was on the ground, and was then handcuffed.

Sergeant Partida said paramedics entered the location and treated Suspect Rojo.

Sergeant Partida indicated on pictures and sketches of the scene, the approximate position he and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

For his complete statements, refer to Sergeant Partida's interview transcripts, included in this case book.

George Madrid #[redacted] Deputy Sheriff

Deputy George Madrid was interviewed by Homicide Investigators Teri Bernstein and Angus Ferguson at Pico Rivera Station on February 4, 2014, at approximately 1254 hours. The interview was digitally audio recorded. **Refer to Exhibit "A,"** page 51 for the Homicide Investigator's summary.

On September 22, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Deputy George Madrid at the Internal Affairs Bureau Building. The interview was digitally audio recorded. Deputy Madrid was represented by Ms. Maureen Okwuosa, Attorney at Law.

> **IAB Note:** Deputy Madrid was working Pico Rivera Station Unit 151D/EM's with his partner, Deputy [redacted], on February 4, 2014. Deputy Madrid was driving.

Deputy Madrid said they responded to [redacted] Ivy Street, Pico Rivera, regarding a disturbance call involving a female crying. As they responded, Deputy Madrid mentioned to Deputy [redacted] that he had handled a call involving a male armed with a machete at that location. During that contact, the male was cooperative and placed the machete on the ground. As they met with the handling unit, Deputy Lisa Gonzalez, he informed her of the prior contact. They then drove to the location. Upon arriving, they contacted Suspect Rojo's [redacted] in the driveway of the location. As Deputy Madrid and Deputy Gonzalez contacted the female, they learned Suspect Rojo assaulted her. It was at this point, Suspect Rojo was seen at the front porch of the location, yelling profanities and telling them to leave. At this time, Suspect Rojo remained on the porch and the deputies were standing in the alley.

IAB Note: Incident History Records of calls at [redacted] Ivy Street, Pico Rivera, for the last 5 years are included in this case book, **Refer to Miscellaneous Documents.**

Deputy Madrid said after repositioning himself, he was able to see Suspect Rojo was holding a Machete as he entered and exited the front door of the location. They requested additional deputies (Code three). When the back up units arrived, Sergeant Partida directed Deputy [redacted] to shoot Suspect Rojo with the Stun Bag shotgun if he advanced towards them. Suspect Rojo then walked towards, them threatening them with the machete. Sergeant Partida directed Deputy [redacted] to shoot Suspect Rojo. Deputy [redacted] shot three times with the stun bag shot gun. Suspect Rojo continued moving towards them after the first shot. After the last shot, Suspect Rojo, still holding the machete, hunched over, ran into the location, and shut the door. Once inside, Suspect Rojo could be heard threatening to kill his father.

Deputy Madrid said they were yelling commands at Suspect Rojo to drop the machete prior to the use of the stun bag shot gun.

Deputy Madrid said at this point, based on Suspect Rojo's threats and assault on his [redacted] they believed Suspect Rojo was capable of harming his [redacted]. They began containing the location and planning a rescue.

Deputy Madrid and Deputy Malone were directed to a containment position in the rear of the location. As they were in the rear, Deputy Madrid saw Suspect Rojo going in and out of rooms, hitting the machete against objects and acting bizarre. At one point, Suspect Rojo poked his head out the back door and yelled for them to get out.

Deputy Madrid said Sergeant Partida, Deputies Hernandez, Gonzalez, [redacted] and [redacted] joined them in the rear of the location, and a plan was developed to enter and rescue Suspect Rojo's [redacted]. The plan included creating a diversion by breaking a window, as they rammed the back door and entered. Deputy Gonzalez broke out a bedroom

window and Deputy [redacted] began ramming the back door. After several hits, the door opened but Suspect Rojo closed it. This continued numerous times. Deputy Hernandez began ramming the door, and at one point, Suspect Rojo opened the door and attempted to stab Deputy Hernandez. Deputy Hernandez fell back as he stepped off the raised door landing. Deputy Madrid said they continued ramming the door, and at one point, he saw Deputy [redacted] activate his TASER when the suspect stood at the door. Deputy Madrid was focused on the windows as the deputies were ramming the door. He saw that the door was breached, and they positioned themselves at the doorway.

Deputy Madrid said Sergeant Partida directed them to make a barrier in the kitchen. Deputy Hernandez, Malone and [redacted] made entry, as he stood behind them in the doorway. Deputy Madrid saw Deputy [redacted] activate the TASER, but he (Deputy Madrid) was unable to see Suspect Rojo at this point. Deputy Madrid heard Suspect Rojo scream, and the sound of someone falling. Deputy Madrid saw Deputy [redacted] Hernandez and Malone move towards the hallway, and stop at the doorway. He heard the TASER still being activated, but was not able to see into the dark hallway. Deputy Hernandez illuminated the next room with his gun-mounted flashlight. As the light went on, Deputy Madrid saw Suspect Rojo swing the machete, almost striking Deputy Hernandez' head. Deputy Madrid then saw Deputies Hernandez and Malone shoot in the direction he last saw Suspect Rojo standing, when he swung the machete. Deputy Madrid was not able to see into the dark hallway where Suspect Rojo was standing.

Deputy Madrid said he broadcast that shots were fired, and saw Deputy Malone and Hernandez enter living room. Deputy Madrid heard Deputy Hernandez say that Suspect Rojo still had the machete in his hand. Once Deputy Madrid entered the living room, he saw Suspect Rojo lying face down with his hands tucked under his body. He also saw Deputy Hernandez pick up and throw the machete just outside the front door. Deputy Madrid told Suspect Rojo, in English and Spanish, to give him his hands. Deputy Madrid held Suspect Rojo's arms as Deputy [redacted] handcuffed him.

Deputy Madrid indicated on pictures and sketches of the scene, the approximate position he and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

For his complete statements, refer to Deputy Madrid's interview transcripts, included in this case book.

Lisa A. Gonzalez #[redacted], Deputy Sheriff

On September 23, 2015, Internal Affairs Bureau Sergeants Louis Vigil and David Ladjevic interviewed Deputy Lisa Gonzalez at Los Angeles Southwest College Sheriff's Office. The interview was digitally audio recorded.

IAB Note: Deputy Gonzalez was working Pico Rivera Station Unit 151B/EM's (no partner) on February 4, 2014.

Deputy Lisa A. Gonzalez said she authored an Incident and Supplemental Report on the day of the incident. She reviewed the reports and said they are a thorough, complete and truthful account of the incident.

IAB Note: A copy of Deputy Gonzalez' reports are included in this casebook. See **Exhibit "A," page 1 and 13.**

Deputy Gonzalez said she responded to [redacted] Ivy Street, Pico Rivera, regarding two calls, one involving a male yelling and the other was a female crying in the alley. Prior to arriving, she coordinated the assisting unit (Deputies Madrid and [redacted]) by having them meet near the location and drive in together. It was during this time, Deputy Madrid told her of a prior contact with a male who liked knives at that location. Upon arriving, they contacted Suspect Rojo's [redacted] (Mrs. [redacted]) near the garage. They learned she was assaulted and had visible injuries to her face caused by her [redacted] Suspect Rojo. As they spoke to Mrs. [redacted] Suspect Rojo was seen at the front porch of the location yelling profanities and telling them to leave. At this time, Suspect Rojo remained on the porch and the deputies were standing in the alley near the gate. Suspect Rojo then started threatening them as he swung a machete.

Deputy Gonzalez said they requested additional units to respond. When Sergeant Partida arrived, Suspect Rojo was walking in and out of the house, yelling profanities and waving the machete. Deputy Gonzalez re-contacted Mrs. [redacted] and learned that her bedridden [redacted] was inside.

Deputy Gonzalez heard Sergeant Partida direct Deputy [redacted] to get the stun bag, as Suspect Rojo continued threatening them and holding up the machete. As Suspect Rojo walked towards them with the machete, they ordered him to put the machete down. Suspect Rojo did not comply, and Deputy [redacted] shot him twice with the stun bag shot gun. Deputy Gonzalez was not sure if the stun bag rounds hit him. Suspect Rojo turned around and ran back into the house.

Deputy Gonzalez was able to hear Suspect Rojo yelling from inside the location that he was going to kill is [redacted] and items being thrown. She also saw the interior lights turn off and on. Deputy Gonzalez said they began containing the location and evacuating neighboring houses.

Deputy Gonzalez said she initially had a barricaded suspect situation and requested the Special Enforcement Bureau, but due to the bedridden [redacted] being in danger, they developed a rescue plan. The plan was to create a diversion and enter through the back door. Her assignment was to throw a weight through a north window, and create diversion as deputies approached and rammed the back door. As the deputies

rammed the door, she saw Suspect Rojo put his arm through the doorway with the machete at the deputies. The deputies backed up, and Suspect Rojo went back inside.

Deputy Gonzalez heard the TASER being activated while the deputies were ramming the back door. She only heard and did not see the TASER activation.

Deputy Gonzalez said the deputies made entry into the location as she maintained her position at the northeast corner of the house. Her focus was on the windows in case Suspect Rojo exited while the deputies were entering. She was able to hear Suspect Rojo yelling, furniture being moved around and the deputies ordering him to put his weapon down. Deputy Gonzalez said a few seconds later she heard four to five quick gunshots. She broadcast "998" (officer involved in a shooting) and entered the location via the back door. Once she entered, she saw Suspect Rojo laying handcuffed in the living room. Deputy Gonzalez then checked on Suspect Rojo's [redacted] and saw he was lying in his bed, alive.

Deputy Gonzalez only heard, but did not see, the shooting.

Deputy Gonzalez indicated on pictures and sketches of the scene, the approximate position she and the suspect were standing at the time of the incident. Refer to the pictures and sketches included with the transcript of this interview.

For her complete statements, refer to Deputy Gonzalez' interview transcripts, included in this case book.

NON-DEPARTMENT MEMBER WITNESS STATEMENT

[redacted] **FH/31**

On February 4, 2014, at 1045 hours, Homicide Investigators Jonas Shipe and Todd Anderson interviewed Mrs. [redacted]. Mrs. [redacted] did not speak English, and Deputy Juan Carlos Parra #[redacted] translated during this interview. The interview was digitally audio recorded. **Refer to Exhibit "A," page 86**, for the Homicide Investigator's summary.

Mrs. [redacted]s apartment window is directly over, and across the alley, from Suspect Rojo's residence. She said at about 5 a.m. the man's [redacted] was outside screaming for someone to call the police. When the police arrived, the man was yelling in English and Spanish.

Mrs. [redacted] said the police arrived with rifles, and the man went into his house and got a machete. The man went into his house and came back out yelling, "You sons' of bitches!" The man went back inside, and then came back out again. That was when

the police shot him. Mrs. [redacted] said the man grabbed his right hip and yelled, "Ay wey!" Mrs. [redacted] was not sure if the rounds hit him.

Mrs. [redacted] said the man went back into his house after being shot. She said she could still hear him yelling. Mrs. [redacted] was then evacuated from her apartment.

Mrs. [redacted] said her neighbor was known to scream and fight with imaginary people. On several occasions he has had the machete during these episodes.

For the complete interview of Mrs. [redacted] refer to the compact disc included in this casebook. **Refer to Exhibit "C."**

[redacted], FH/76

On February 4, 2014, at approximately 1045 hours, Homicide Investigators Teri Bernstein and Angus Ferguson interviewed Mrs. [redacted]. The interview was conducted at Pico Rivera station. The interview was digitally audio recorded. **Refer to Exhibit "A," page 48, for the Homicide Investigator's summary.**

Mrs. [redacted] said her [redacted] Suspect Rojo, had assaulted her. She made it out of the house and was crying and asking neighbors to call the police. When the deputies arrived, she told them about the assault. She also said Suspect Rojo assaulted her [redacted] in the past and she was worried he would kill him. Her [redacted] could not speak or walk, and suffered from Alzheimer's and dementia.

Mrs. [redacted] said once she made contact with the deputies, they placed her in a patrol car to wait. She saw Suspect Rojo exit the house with the machete and heard deputies yelling commands. She yelled at the deputies not to hurt him, but she did not see anything else.

For the complete interview of Mrs. [redacted] refer to the compact disc included in this casebook. **Refer to Exhibit "C."**